



## Real Wage and Hour Bill Drafted By A. F. of L. Executive Council

fecting interstate or foreign commerce at a wage less than 60 cents an hour, or at work in excess of 8 hours per day or more than 48 hours in any one week, or to employ any person under the age of 18 years; have provided, that, in case of emergency the provisions of this Act shall not apply during the period of such emergency to any person or persons affected filed with the State Labor Commissioner or other proper authority. The bill also contains the statement as to the necessity for such action; provided, further, that such employee shall pay to his workers during such emergency wages of not less than one and one-half for work in excess of 8 hours per day or 48 hours in any one

**Penalties For Violation**

Sec. 3. Any person in any State or territory or possession of the United States or the District of Columbia guilty of violations of any of the provisions of this Act shall be deemed guilty of a

miademeanor, and upon conviction shall be fined not less than \$100 for each offense. The employment of each employee at a wage less than that fixed in this Act, or for hours longer than those fixed in this Act, unless excepted as provided in Section 2, shall constitute a

**Enforced by Federal District Courts**  
Sec. 4. The District Courts of the United States and possessions shall have jurisdiction of the violations of this Act. Any criminal proceeding may be brought in the District wherein any act or transaction constituting the violation or any element thereof occurred. The Attorney General of the United States may petition in District Court having jurisdiction to issue subpoenas

prohibiting a permanent injunction against further violations of this Act by any defendant in any criminal proceeding. Any District Court in the District wherein the defendant is an inhabitant or transacts business or where the violation of the Act occurred has jurisdiction of said suits in equity. Judgments and decrees so rendered shall be subject to review as provided in Sections 128 and 240 of the Judicial Act as amended (U.S.C. Title 28, Sections 325 and 347, and D. C. Act Title 18, Section 36). It shall be the duty

Sec. 5. It shall be unlawful for any person to transport, offer to transport, or offer to export in interstate commerce any goods in the production or processing of which any person so, etc.

played for longer hours per week or for less wages per hour or under the age of 16 for hire as provided in Section 2 hereof when applicable.

Sec. 6. It shall be unlawful for any person to transport, offer to transport, or, offer for transport, in interstate commerce, any goods in the production or processing of which convict, prison, forced or indentured labor has entered.

**State Laws Not Superseded**

Sec. 7. The provisions of this Act shall not supersede any State law or municipal ordinance establishing a minimum wage higher than the wage established by this Act, or minimum hours of labor or prohibited employment.

**Certain Union-Agreement Employers Exempted**

Sec. 5. Any employer under a collective bargaining contract with the union of his employees affiliated with a recognized, bona fide national labor organization providing for higher minimum wages and shorter maximum hours shall be exempted from the provisions of this act as to the employees

covered by such agreement and in so far as the agreement covers hours and wages,

Sec. 9. All laws or parts of laws in conflict herewith are hereby repealed. Should any provision of this Act be held unconstitutional by the Supreme Court of the United States, the other provisions shall not be affected by such decision.

Sec. 10. This Act shall become effective

## Labor of Children Child Labor Committee

ber of children now employed is much smaller than before the codes went into effect.

**Interstate Commerce Law Will Protect Only 25 Per Cent of Working Children**

Although urging enactment of Federal child labor legislation at the present special session of Congress based on the constitutional authority of Congress to regulate interstate commerce

M. Dinnwiede's report declared that such legislation would reach at best only approximately 25 per cent of the working children, those employed in industrial establishments whose products are shipped in interstate commerce, and "would not affect children employed in local service trades, such as stores, offices, hotels, garages and restaurants, nor would it protect those in large-scale industrialized agriculture or in street trades." Only the ratification of

**Big Majority Favors Federal Amendment**  
"With 76 per cent of the people in favor of the Child Labor Amendment and ratification by only eight more States needed," the report stated, "it would be far better to continue the fight."

for the present Amendment, unless the Supreme Court should declare ratification no longer valid, than to begin anew the slow process of securing favorable State action on a substitute amendment."

The reference to the constitutional validity of the present status of the Child Labor Amendment is connected with the two diametrically opposed opinions handed down by the highest State Courts of Kansas and Kentucky on the

validity of the ratification after prior rejection by a State and after a lapse of thirteen years since its submission to the States.